

TITLE 18 ALASKA ADMINISTRATIVE CODE
CHAPTER 75 – OIL & HAZARDOUS SUBSTANCES POLLUTION CONTROL (EXTRACT)

18 AAC 75.300. DISCHARGE OR RELEASE NOTIFICATION; REPORTING REQUIREMENTS.

(a) Subject to (b) of this section, a person in charge of a facility or operation shall notify the department by telephone, and immediately afterwards send the department a written notice by facsimile, hand delivery, or first class mail, informing the department about a discharge or release of a hazardous substance at or from the facility or operation as follows:

(1) as soon as the person has knowledge of a

(A) discharge or release of a hazardous substance other than oil;

(B) discharge or release of oil to water; or

(C) discharge or release, including a cumulative discharge or release, of oil in excess of 55 gallons solely to land outside an impermeable secondary containment area or structure; and

(2) within 48 hours after the person has knowledge of a discharge or release, including a cumulative discharge, of oil solely to land

(A) in excess of 10 gallons, but 55 gallons or less; or

(B) in excess of 55 gallons, if the discharge or release is the result of the escape or release of oil from its original storage tank, pipeline, or other immediate container into an impermeable secondary containment area or structure.

(b) A person in charge of a facility or operation shall maintain, and provide to the department monthly, a written record of each discharge or release, including a cumulative discharge or release, of one gallon to 10 gallons of oil solely to land.

(c) If a person in charge of a facility or operation has entered into an agreement with the department, as provided under AS 46.03.755(b) or AS 46.09.010(b), for the periodic reporting of a discharge or release of a hazardous substance, the terms of the agreement replace the applicable requirements of this section for the hazardous substance.

(d) After receiving notice of a discharge or release under (a) of this section, and until containment and cleanup are completed, the department will require interim reports as the department considers necessary to ascertain any threat to human health, safety, or welfare, or to the environment.

(e) Unless the department determines that a written report is not needed for the department to ascertain any threat to human health, safety, or welfare, or to the environment, a written report must be submitted to the department within 15 days after containment and cleanup are completed or, if no cleanup occurs, within 15 days after the discharge or release. The report must be submitted to the department's Anchorage, Fairbanks, or Juneau office, whichever is nearest to the location of the discharge, unless the department specifies otherwise. The report must contain the information specified in (f) of this section.

(f) A report, record, or notification required by this section must contain, as applicable,

(1) the date and time of the discharge or release;

(2) the location of the discharge or release;

(3) the name of the facility or operation;

- (4) the name, mailing address, and telephone number of
 - (A) each responsible person; and
 - (B) the owner and the operator of the facility or operation;
- (5) the type and amount of each hazardous substance discharged or released;
- (6) factors that caused or contributed to the discharge or release;
- (7) a description of any environmental effects of the discharge or release, or the containment and cleanup, to the extent those effects can be identified;
- (8) a description of the containment or cleanup action taken;
- (9) the estimated amount of
 - (A) hazardous substance cleaned up; and
 - (B) hazardous waste generated;
- (10) the date and method of disposal or treatment of the hazardous substance, contaminated equipment, contaminated materials, contaminated soil, and contaminated water;
- (11) a description of actions being taken to prevent another discharge or release; and
- (12) other information that the department requires to fully assess the cause and impact of the discharge or release, including any sampling reports and a description and estimate of any remaining contamination.

Note: Spills required to be reported to the State of Alaska must also be reported to the BLM.